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FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

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FILE

16 FEB 1993

IN REPLY REFER TO:

7230-7/1700A3
RECEIVED

FEB 23 1993

Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator DeConcini:

This is in reply to your letter of February 1, 1993, in which you inquired on behalf of several of your constituents regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). This Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

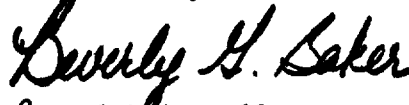
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We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the Notice are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,



for Ralph A. Haller
Chief, Private Radio Bureau

Enclosures:
Notice
Order
Discussion paper

cc:
Chief, PRBureau
Chief, LM&M Divison
Deputy Chief, LM&M Division
Lou Sizemore, Room 857
Docket Files, Room 222
Licensing Div., PRB, c/o Room 5202
P&P Branch Files

CNTL NO - 9300381

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CONGRESS/9300381

Congressional

DUE 2-11-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS,
AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM
02/03/93

LETTER REPORT

CONTROL NO.	DATE RECEIVED	DATE OF CORRESP	DATE DUE	DATE DUE OLA(857)
9300381	02/03/93	02/01/93	02/17/93	

TITLE	MEMBERS NAME	REPLY FOR SIG OF
Senator	Dennis DeConcini	BC

CONSTITUENT'S NAME	SUBJECT
several	inq. comments on PR Docket 92-235

REF TO	REF TO	REF TO	REF TO
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PRE/LMM

3-4-93

DATE	DATE	DATE	DATE
02/03/93			

REMARKS: Respond to the attention of Ms. Susan D. Scott.

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DENNIS DeCONCINI
ARIZONA

COMMITTEES:
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INDIAN AFFAIRS
RULES AND ADMINISTRATION
INTELLIGENCE

COMMISSION ON
SECURITY AND COOPERATION
IN EUROPE/CHAIRMAN

United States Senate

WASHINGTON, DC 20510

FFB
92-235
381

WASHINGTON OFFICE:
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TUCSON, AZ 85719
(602) 670-6831

EAST VALLEY OFFICE:
40 NORTH CENTER STREET #110
MESA, AZ 85211
(602) 379-4998

February 1, 1993

The attached inquiries from:

Bruce Simons
Challen W. Irvine
Robert E. Fields
Wilber Thomas
Donald Borrow
Mike Reynolds

is respectfully referred to:

FCC

Your comments regarding this matter will be most appreciated.

Sincerely,


DENNIS DeCONCINI
United States Senator

Please reply to:

The Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510

attention: Ms. Susan D. Scott

RECEIVED
FEB 4 3 21 PM '93
PRIVATE

Jan. 22, 1993

The Honorable Dennis DeConcini
United States Senate
Washington, D.C. 20510

Dear Senator DeConcini,

I have been interested in aviation for as long as I can remember and am now retired and derive many hours of enjoyment from constructing and operating radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result many

land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of commercial aviation industries.

VALLEY HOBBY SHOP

R/C CENTER



8331 E. Valley Road Prescott Valley, AZ 86314

(602) 775-4071



The Honorable Dennis De Concini
United States Senate
Washington, DC 20510

Dear Senator De Concini:

I am a hobby retailer who sells many radios, radio-controlled models and related products in my store. In addition, I sell train products, plastic model kits and other related hobby products.

It has recently come to my attention that the Federal Communications Commission (FCC) is considering an action that has the potential to destroy my business and that of thousands of other retailers nationwide like me. The proceeding is PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio-control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The Notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 KHz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 KHz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars and boats) now used by hobbyists. In fact, more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a billion dollar industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousands of people and contributes to the advancement and development of the commercial aviation industry.

Please help me continue my business without interference by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid this economic mistake.

Sincerely,

Walter Thomas J.

January 18, 1993

The Honorable Dennis Deconcini
United States Senate
Washington, DC 20510

Sir:

I have just found out about the Federal Communications Commission Notice of Proposed Rule Making PR Docket 92-235.

This rule has a section concerning Part 95 of the Code of Federal Regulations that is of serious interest to me and a fair segment of the population for several reasons - one of them being safety. This rule must not pass.

I fly radio-controlled model aircraft. NPRM PR 92-235 proposes the placing of multiple, commercial use frequencies between the present ones allocated by the FCC for R/C use. These frequencies can/will be used on mobile equipment and as such present an extreme danger to us. If this ruling is enacted, a pilot could lose control of a plane at any time and with no warning when one of the new transmitters began broadcasting within range of the pilot.

The planes we fly are relatively large (mine range in weight from 3 to 10 pounds and have wingspans to greater than 5 feet) and fly at significant speeds. Loss of control could result in serious injury and possibly death for a person struck by such a plane.

Normally there is very little risk involved in this hobby and accidents are few, but the interference possibilities introduced by this new bill will change that.

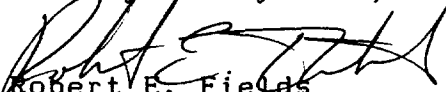
The technology required to upgrade our radios such that they could operate at the new, narrow frequency spacing and reject the more powerful transmitters on the new frequencies is not currently available. Estimates on cost when/if it would become available are around \$1000. This is many times the present cost of our radios and will kill the hobby - a hobby that introduces many (including children) to technology and aerospace engineering professions.

I am in a club of 65 individuals that fly R/C. There are, I believe, 8 such clubs in the Tucson area alone. Phoenix has even more. Each year we all participate in a mall show at the Park Mall in Tucson that draws such crowds that, during the very first show, the mall officials invited everyone back on a yearly basis.

There is also a significant economic impact to the Tucson area itself due to the hobby. Clubs in the area regularly host national events and our club has co-hosted giant scale, Reno-style, Unlimited Air Races in conjunction with Evergreen Air Center in Marana. These events will stop if NPRM PR 92-235 is enacted.

I respectfully ask that you help us to protect our R/C frequencies, keep our present levels of safety, and keep this action from killing the hobby.

Thank you very much,


Robert E. Fields
1341 East Seneca Street
Tucson, Arizona 84719

RECEIVED 12-15

17 JANUARY 1993

THE HONORABLE DENNIS DECONCINI
UNITED STATES SENATE
WASHINGTON, D C 20510

DEAR SENATOR DECONCINI:

I AM VERY CONCERNED ABOUT PROPOSED RULES THAT ARE CURRENTLY UNDER CONSIDERATION BY THE FEDERAL COMMUNICATIONS COMMISSION (FCC). THE PROCEEDING IS PR DOCKET 92-235. IF ADOPTED, THE NEW RULES WILL GREATLY REDUCE THE USABILITY OF FREQUENCIES CURRENTLY ASSIGNED FOR MODEL USE AND INCREASE THE RISK OF ACCIDENTS AND ATTENDANT LIABILITY FOR CONTROLLING MODEL AIRPLANES.

OUR RADIO CONTROL FREQUENCIES ARE IN THE 72 - 76 MHZ BAND. THIS BAND IS PRIMARILY USED FOR PRIVATE LAND MOBILE DISPATCH OPERATIONS. HOWEVER, OUR RADIO CONTROL FREQUENCIES IN THIS BAND ARE FAR ENOUGH APART FROM THE LAND MOBILE FREQUENCIES THAT WE HAVE BEEN ABLE TO SHARE THE BAND WITHOUT EITHER USE INTERFERING WITH THE OTHER.

NOW THE F C C WANTS TO CREATE MORE LAND MOBILE FREQUENCIES BY SPLITTING THEM INTO NARROWER BANDWIDTHS AND REARRANGING THE BAND PLAN. AS A RESULT, MANY LAND MOBILE FREQUENCIES WILL MOVE CLOSER TO THE RADIO CONTROL FREQUENCIES AND CAUSE INTERFERENCE TO RADIO CONTROL OPERATIONS. I AM TOLD THAT OF THE 50 FREQUENCIES THAT ARE PRESENTLY AVAILABLE FOR RADIO CONTROL OF MODEL AIRPLANES, ONLY 19 FREQUENCIES WILL BE LEFT IF THESE NEW RULES ARE ADOPTED.

WHEN WE FLY OUR MODEL AIRPLANES UNDER RADIO CONTROL, WE GO TO GREAT LENGTHS TO ASSURE THE SAFETY OF THE OPERATOR AND BYSTANDERS AND THE PROTECTION OF PROPERTY. MANY OF OUR SAFETY PRECAUTIONS INVOLVE THE CAREFUL COORDINATION AND USE OF THE RADIO CONTROL FREQUENCIES. IF THE NUMBER OF USABLE FREQUENCIES IS DIMINISHED AS PROPOSED BY THE F C C, THE REMAINING FREQUENCIES WILL BECOME HIGHLY CONGESTED AND THE MARGIN OF SAFETY WILL BE GREATLY DECREASED.

PLEASE UNDERSTAND THAT MANY MODEL AIRPLANES HAVE WING SPANS UP TO 10 FEET AND WEIGH AS MUCH AS 30 TO 40 POUNDS. THE MODELS THEMSELVES ARE EXPENSIVE TO BUILD; BUT MORE TO THE POINT, THEY ARE CAPABLE OF CAUSING PROPERTY DAMAGE, SERIOUS INJURY, OR EVEN DEATH IF RADIO INTERFERENCE CAUSES THE OPERATOR TO LOSE CONTROL OF THE CRAFT. WE OFTEN FLY OUR MODELS AT ORGANIZED EVENTS AND EVENTS WHERE HUNDREDS OF OPERATORS PARTICIPATE. WE NEED THE USE OF OUR FULL COMPLIMENT OF RADIO FREQUENCIES IN ORDER TO ASSURE A SAFE FLYING ENVIRONMENT.

I DO NOT THINK IT IS WISE OF THE F C C TO SEEK TO IMPROVE THE OPERATING CONDITIONS OF LAND MOBILE RADIO USERS AT THE EXPENSE OF

RADIO CONTROL MODELERS. THE F C C MAY NOT THINK WE ARE AS
IMPORTANT AS BUSINESS USERS OF RADIOS, BUT WE HAVE A CONSIDERABLE
INVESTMENT IN OUR MODELS AND IN OUR RADIO EQUIPMENT. THE HOBBY
PROVIDES MANY HOURS OF ENJOYMENT TO THOUSANDS OF PEOPLE LIKE
MYSELF AND CONTRIBUTES TO THE ADVANCEMENT AND DEVELOPMENT OF THE
COMMERCIAL AVIATION INDUSTRY.

PLEASE HELP ME CONTINUE THE SAFE ENJOYMENT OF MY PASTIME BY NOT
ALLOWING THE F C C TO CARRY OUT ITS PROPOSALS FOR THE 72-76 MHZ
BAND.

SINCERELY,

A handwritten signature in cursive script, reading "Challen W. Irvine".

CHALLEN W IRVINE
8718 RANGE RIDER TL
MESA ARIZONA 85207



MR. BRUCE SIMONS
7240 N. 10TH AVE.
PHOENIX, AZ 85021

JANUARY 24, 1993

THE HONORABLE DENNIS DECONCINI
UNITED STATES SENATE
WASHINGTON, D.C. 20510

I HAVE BEEN INTERESTED IN AVIATION FOR AS LONG AS I CAN REMEMBER. I AM VERY ACTIVE IN A LOCAL CLUB WHOSE MEMBERS (WE ARE 235 STRONG) ENJOY CONSTRUCTING AND OPERATING RADIO CONTROLLED MODEL AIRPLANES. THERE ARE ABOUT 16 SUCH CLUBS IN OUR VALLEY OF THE SUN.

I AM WORRIED ABOUT RULES CURRENTLY UNDER CONSIDERATION BY THE FEDERAL COMMUNICATIONS COMMISSION (FCC). THE PROCEEDING IS PR DOCKET 92-235. IF ADOPTED, THE NEW RULES WILL GREATLY REDUCE THE AVAILABILITY OF FREQUENCIES CURRENTLY ASSIGNED FOR MODEL USE AND GREATLY INCREASE THE RISK OF ACCIDENTS AND ATTENDANT LIABILITY FOR CONTROLLING MODEL AIRPLANES

NOW FCC WANTS TO CREATE MORE LAND MOBILE FREQUENCIES BY SPLITTING THEM INTO NARROWER BANDWIDTHS AND REARRANGING THE BAND PLAN. AS A RESULT, MANY LAND MOBILE FREQUENCIES WILL MOVE CLOSER TO THE RADIO CONTROL FREQUENCIES AND CAUSE INTERFERENCE TO RADIO CONTROL OPERATIONS. I AM TOLD THAT OF THE 50 FREQUENCIES THAT ARE PRESENTLY AVAILABLE FOR RADIO CONTROL OF MODEL AIRPLANES, ONLY 19 FREQUENCIES WILL BE LEFT IF THESE NEW RULES ARE ADOPTED

I DO NOT THINK IT IS WISE OF THE FCC TO SEEK TO IMPROVE THE OPERATING CONDITIONS OF LAND MOBILE RADIO USERS AT THE EXPENSE OF RADIO CONTROL MODELERS. THE FCC MAY NOT THINK WE ARE AS IMPORTANT AS BUSINESS USERS OF RADIOS, BUT WE HAVE A CONSIDERABLE INVESTMENT IN OUR MODELS AND IN OUR RADIO EQUIPMENT. THE HOBBY PROVIDES MANY HOURS OF ENJOYMENT TO THOUSANDS OF PEOPLE LIKE MYSELF AND CONTRIBUTES TO THE ADVANCEMENT AND DEVELOPMENT OF THE COMMERCIAL AVIATION INDUSTRY.

PLEASE HELP ME CONTINUE THE SAFE ENJOYMENT OF MY PASTIME BY NOT ALLOWING THE FCC TO CARRY OUT ITS PROPOSALS FOR THE 72-76 MHZ BAND.

SINCERELY,

Bruce Simons